

REMARKS

This letter is in response to the Office action dated November 21, 2007. The Applicants respectfully request entry of the amendments to the specification and claims noted above.

The application title has been amended to the title identified in the inventor's declaration.

Claim 3 has been canceled.

Claims 6-15 have been withdrawn.

Claim 1 has been amended to require a method for improved radiostability of a  $^{18}\text{F}$ -fluor-deoxy-glucose ( $^{18}\text{F}$ -FDG)-solution during autoclaving. Support may be found throughout the specification.

Claims 16 has been amended to depend from claim 1.

Claims 1-2, 4-5, and 16 are pending.

No new matter has been added.

I. Priority

Applicants have ordered a certified copy of European Application EP 02076638.2 and upon receipt will file the certified copy in the US Patent Office.

II. Oath/Declaration

Applicants submit herewith substitute declarations executed by all inventors wherein the title identified in the declaration is identical to the title of the specification.

III. Rejections of Claims 1-2, 4-5 and 16 under 35 USC §103(a)

Reconsideration is respectfully requested of the rejection of claims 1-2, 4-5 and 16 under 35 U.S.C. §103(a) as being unpatentable for obviousness over "Supplement to the Manual and Operating Instructions," FDG Synthesizers, Nuclear Interface GmbH, 11/21/01 in view of Dumhaut et al. (US 6,172,207).

Claim 1 has been amended to require "A method for improving radiostability of a  $^{18}\text{F}$ -

fluor-deoxy-glucose (18F-FDG)-solution during autoclaving, ..." Claims 2, 4-5 and 16 depend from claim 1.

The cited references disclose methods wherein FDG solutions are not sterilized through the use of an autoclave. The Supplement to the Manual and Operating Instructions, FDG Synthesizers, Nuclear Interface GmbH is a supplement to "Manual, PET-Radiopharmaceutical Dispensing Unit", Nuclear Interface GmbH, 12/10/2001 (hereinafter "Manual"). The Manual identifies on page 9, column 1, in the Note box (enclosed herewith for the Examiner's convenience) that the sterilizer is not an autoclave:

"The integrated sterilizer does not conform to the EN 554 regulations as an autoclave and thus may not be used for autoclaving!..." (See Manual, page 9, column 1).

Similarly, the Dumhaut et al. reference discloses that the FDG solution is sterilized through a filtration method:

"The column or cartridge is then eluted with an eluent selected among the group consisting of water, an aqueous solution or a physiological solution. The FDG is carried by the solution. Said solution is transferred to the final vial through such elements as an ion retarding column, Al<sub>2</sub>O<sub>3</sub> and C<sub>18</sub> Sep-Pak® and a filter so as to purify and sterilize it." (See Dumhaut, Col. 5, lines 44-48, emphasis added).

For a claim to be *prima facie* obvious under 35 U.S.C. §103(a) in view of prior art, the prior art references must disclose each element of a claim.<sup>1</sup> As the cited references do not disclose a method of improving radiostability of a 18F-fluor-deoxy-glucose (18F-FDG)-solution during autoclaving, the Applicants respectfully submit that claims 1-2, 4-7 and 16 are non-obvious in view of the prior art.

In light of the foregoing, the Applicants respectfully request withdrawal of the rejection of claims 1-2, 4-5, and 16 under 35 U.S.C. §103(a).

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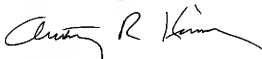
<sup>1</sup> MPEP §2143(A).

IV. Consideration of References Cited in Supplemental IDS

The Applicants have not received an acknowledgement from the Examiner that the references listed in the Supplemental IDS filed November 27, 2006 were considered by the Examiner and respectfully request said acknowledgment.

The Commissioner is hereby authorized to charge Deposit Account Number 13-1160 for a two-month late fee and any other fee deficiency in connection with this response.

Respectfully submitted,



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